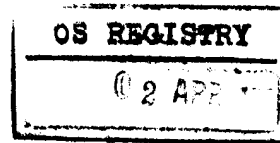


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30 March 1987
OCA 87-1207

MEMORANDUM FOR THE RECORD

FROM: [redacted] Legislation Division
Office of Congressional Affairs

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SUBJECT: Meeting with Jon Weintraub: Polygraph Bill

1. On March 27, 1987, [redacted] National Security Agency (NSA) Legislative Affairs, and I met with Jon Weintraub, Administrative Assistant to Representative Pat Williams, sponsor of H.R. 1212, the bill to ban private use of the polygraph.

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2. Our meeting was to discuss the exemption in the bill for Agency and NSA contractors' employees. It appeared the meeting was going smoothly with Mr. Weintraub confirming our prior arrangements that the exception for both agencies would be the same as in last year's version of the legislation. At the last minute, however, he brought up a problem which had been raised by Representative Gejedson's office. That office did not wish the exemption to authorize the polygraphing of defense contractor employees not currently being polygraphed because the state in which they were located prohibited such practices. To overcome this problem, Weintraub was considering a provision in the bill to make all exemptions subject to state law.

3. He said that he wished to include us in this because he did not wish to differentiate us from the Department of Defense. I said that we had been differentiated in the past and wished to continue to do so.

4. We also noted that DoD was limited by its annual authorization legislation as to the number of persons it could polygraph and that limitation would seem to be a more effective way of accomplishing what Gejedson sought to insure against.

5. We concluded by agreeing that he would first discuss the matter with the House Armed Services Committee (John Lally), then with Representative Williams and then get back to us.

6. Weintraub stated he was aware of the problem he faced. On the one hand he did not wish to engender national security objections to the bill. On the other hand, he had to respond to those who wished to limit the polygraph's abuses in the private sector.

7. The next step is to wait to hear from Weintraub. We might also contact the House Armed Services Committee staff to see how they would feel about the issue. In the past, they have been the main check on efforts by this legislation's proponents to circumscribe the governmental exemptions.

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